

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 NICHOLAS MAESTAS,) 3:10-cv-00585-HDM-VPC
12 Plaintiff,)
13 vs.) ORDER
14 ROBERT LEGRAND, et al.,)
15 Defendants.)
_____)

16 On August 19, 2011, the plaintiff filed a motion for summary
17 judgment (#28). The motion was filed before the court has ruled on
18 the defendants' motion to dismiss for failure to exhaust, before
19 the defendants have filed an answer, and before any discovery has
20 been conducted in this case. The motion is accordingly premature
21 and is therefore DENIED WITHOUT PREJUDICE to renew at the close of
22 discovery.

23 IT IS SO ORDERED.
24

25 DATED: This 25th day of January, 2012.
26



27 UNITED STATES DISTRICT JUDGE
28